

Comparison of FAC Recommendations to FWS Draft Voluntary Guidelines

This is not the exhaustive list of all differences, but includes some of the major factors that will be of most interest to stakeholders.

TOPIC	FAC Recommendations	FWS Draft Voluntary Guidelines
Study Duration	No specific study duration time mentioned	Pre-construction has a minimum study duration of 3 years; post-construction has a minimum of 2 years
Decision Process	The developer makes key decisions at the end of each tier	The developer decides in coordination with FWS whether to move to the next tier
Implementation	Requirement of a 2-year phase in process	Removed the 2-year phase in process
Preamble	Premise and principles section included	Not included, particularly the incentive language. Some elements were incorporated into the Introduction.
Cost Savings	Many decisions included a consideration of cost for surveys, mitigation, etc.	Modified the reference and revised mitigation language.
Adverse Effect	Referred to as “significant” adverse effects	Removed the term “significant” from the language and is referred to now as adverse effects.
Use of project descriptors and other terms	Area of interest, project area, project site, species of concern, species of habitat fragmentation concern	Area of influence, project site, extent of direct effects, extent of indirect effects, affected species, species sensitive to habitat fragmentation
Adaptive Management	Used Adaptive Management concepts from outside sources	Used the Department of Interior Handbook on Adaptive Management
Noise	Issues with noise disturbance not included	Noise is included, specifically in Tiers 3-5.
Habitat Fragmentation	Extensive discussion on effects of habitat fragmentation to sage grouse and prairie chickens	Expanded discussion to include loss and degradation, and moved sage grouse-specific discussion to website
Tiers 4 and 5	Tier 4 Post-construction Fatality Studies and Tier 5 Other Post-construction Studies	Split Tier 4 into 4a (Fatality Monitoring) and 4b (Other Effects); moved habitat effects from Tier 5 to Tier 4b
Mitigation	Brief discussion of general mitigation considerations	Expanded FWS Mitigation Policy and added Migratory Bird Treaty Act and Bald and Golden Eagle Protection Act
Conflict Resolution	Identified a specific individual in the Washington Office to respond to conflicts	Modified to standard chain of command in FWS/DOI
Legal White Paper	Discussed legal statutes, as well as various options such as bird letters, migratory bird permits, conservation banking, etc.	Replaced with FWS Legal Considerations – discussion of legal authorities and statutes, but did not include MBTA permits and bird letters